UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/26480
21 September 1993

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON HAITI

Introduction

1. In my report dated 25 August 1993 (S/26352), I recommended to the Security Council the establishment of a United Nations Mission in Haiti (UNMIH) for an initial period of six months to help implement the Governors Island Agreement concluded on 3 July 1993 between the President of the Republic of Haiti, Reverend Father Jean-Bertrand Aristide, and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cédras.

2. After reviewing that report, the Security Council adopted resolution 862 (1993), in which, inter alia, it requested a further report from the Secretary-General on the proposed establishment of UNMIH, including, in particular, a detailed estimate of the cost and scope of this operation, a time-frame for its implementation, and the projected conclusion of the operation, and how to ensure coordination between it and the work of the Organization of American States (OAS). The present report responds to the Council's request for such additional information.

I. ADVANCE TEAM TO HAITI

3. In paragraph 2 of its resolution 862 (1993), the Security Council approved the early dispatch of an advance team of not more than 30 personnel to assess requirements and prepare for the possible dispatch of both the civilian police and military assistance components of the proposed United Nations Mission in Haiti. Accordingly, an advance team, headed by my Special Envoy, Mr. Dante Caputo, and also including my Military Adviser, Major General Maurice Baril, as well as a number of military, police and civilian specialists, travelled to Haiti on 8 September 1993.

4. The mandate of the advance team was twofold: first, the team was instructed to undertake a detailed survey as a basis for the preparation of the present report; and second, a small group of military and police officers remained in Haiti after the return of the main body of the advance team on 12 September 1993, with the task of making preparations for the eventual deployment of the Mission in Haiti subject to the approval of the Security Council.

5. During their stay in Haiti, my Special Envoy, and the senior members of his team met with a number of Haitian officials representing the Constitutional Government, as well as the Armed Forces. These officials included both Prime Minister Robert Malval and senior members of his Cabinet and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cédras and members of his General Staff.

6. Both sides confirmed their desire to pursue the implementation of the Governors Island Agreement, including those provisions which foresee the participation of the United Nations.

7. Notwithstanding the assurances given by both sides regarding their readiness to cooperate with the United Nations in the implementation of the relevant provisions of the Governors Island Agreement, they continue to be divided by deep mistrust and suspicion. It was clear to the advance team that that divide needs to be bridged on an urgent basis in order for tangible progress to be achieved towards the implementation of the Governors Island Agreement. Meanwhile, the political and social climate in Haiti continues to be characterized by widespread violations of human rights and other instances of violence. In these circumstances, in the opinion of my Special Envoy, there is an urgent need to demonstrate through concrete steps the commitment of the international community to the solution of the Haitian crisis. I fully concur with my Special Envoy in this regard. It is my hope, therefore, that the Security Council, on the basis of the additional information provided in the present report, will agree to the urgent establishment of UNMIH in line with my earlier recommendations.

II. ASSISTANCE IN THE POLICE SECTOR

8. As was mentioned in my report dated 25 August 1993, although the present Haitian Constitution provides for a police force separate from the Armed Forces, at the present time the responsibility of the Armed Forces of Haiti encompasses both military and police functions. In accordance with paragraph 7 of the Governors Island Agreement and paragraph 4 of the New York Pact of 16 July 1993, a law is to be adopted by the Haitian Parliament, by way of extraordinary procedure, to establish a new police force. Paragraph 5 of the Governors Island Agreement calls for the presence of United Nations personnel to assist in the establishment of the new force. Pending the creation and training of the new Haitian Police, President Aristide, in his letter of 24 July 1993, requested the United Nations to provide advice and assistance for the purposes of improving the functioning of the existing security forces, with particular reference to respect for human rights.

9. The main objective of the United Nations cooperation in the police sector is to assist in the establishment and organization of a national police force separate from the Armed Forces. In the first phase, pending the creation of such a police force, the police members of UNMIH would monitor the performance of the existing security forces. In particular, United Nations police monitors would verify that the existing security forces respect human rights as well as the letter and spirit of the political accord. This initial phase of the Mission is estimated to require six months. As soon as feasible, and if possible before the completion of the initial phase, the scope of UNMIH

activities in the police sector would be expanded to include training of the members of the new police force.

10. Requirements of further assistance for training in the police sector will depend on the progress achieved during the first phase. It is my intention to present recommendations in this regard to the Council before the expiry of the mandate of UNMIH should the Council decide to establish the Mission for an initial period of six months.

11. The advance team concluded that 567 United Nations police monitors would be the minimum strength required to accomplish the tasks established for the police component.

12. For the organizational purpose of the police component, the territory of Haiti would be divided into four administrative divisions, with headquarters in Port-au-Prince. United Nations police monitors would be present in all departmental capitals. To the extent possible, United Nations police monitors would be deployed at the same locations as the United Nations/OAS Civilian Monitors of the Civilian Mission in Haiti (MICIVIH).

13. The Police Act currently under consideration in the Haitian Parliament envisages the integration of the police into the fabric of local communities and the encouragement of the development of a partnership between the police and the communities they serve. It is essential for United Nations police monitors to adapt their deployment and modus operandi accordingly. This would create public awareness among the Haitians as to what the relationship ought to be between the police and the citizens they serve in a democratic country.

14. It is understood that the functions of United Nations police monitors in Haiti will be strictly limited to monitoring and training. At the same time, it is my expectation that, through their presence and the example they will be setting, the United Nations police monitors will have a favourable impact on the manner in which police work is carried out in Haiti.

III. ASSISTANCE FOR MODERNIZATION OF THE ARMED FORCES

15. In my report dated 25 August 1993 (S/26532), I had indicated that a military component including a construction unit with a strength of approximately 500 and a training team of 60, would be required in order to implement the tasks of the military component of UNMIH. Based on its detailed assessment of the related requirements, the advance team concluded that the strength of this component, including military trainers, would need to be increased to approximately 700.

16. The military assistance operation will be carried out in three phases: the first consisting of the movement of military units and the installation of a base camp; the second covering training of military personnel in various disciplines and the initiation of engineering and medical assistance projects; and the third and final phase would expand training, as well as engineering and medical projects enabling the Haitian military personnel to apply their newly acquired skills. It is estimated that all of these activities can be conducted simultaneously and be completed within six months.

17. The training which will be provided to the Haitian Armed Forces is intended to enhance their capabilities in non-combat skills essentially in areas relating to disaster preparedness and relief. Parallel with the activities outlined above, it is envisaged by the Haitian authorities that the Armed Forces will be reorganized into five battalions, including service support units, and be deployed throughout the country.

IV. COORDINATION BETWEEN UNMIH AND MICIVIH

18. My Special Representative (see para. 20 below) will be responsible for coordinating the work of UNMIH and of MICIVIH, both of which will function under his overall authority. Specifically, the United Nations police monitors will work in collaboration with the Department of Investigation and Research within the Human Rights Division of MICIVIH. Furthermore, MICIVIH would provide an orientation course for the United Nations police monitors, drawing on its experience in training its own civilian observers and its familiarity with the Haitian political and social environment.

19. The organizational structure of MICIVIH would remain essentially unchanged, with the Executive Director of MICIVIH reporting directly to the Special Representative. The MICIVIH budget will remain separate from that of UNMIH, retaining its funding through the regular budget of the Organization and continuing its special budgetary and operational arrangements with OAS. The United Nations administrative component of MICIVIH will continue to provide full support to MICIVIH, but will be augmented so as to give it the capacity to support UNMIH as well. This single administration would, as a result, be removed from the organizational structure of MICIVIH to form a separate component catering to both entities under the authority of my Special Representative. While details of the costing arrangements for this dual role remain to be finalized, it is envisioned that the related costs would be shared between the two budgets.

V. STRUCTURE OF THE UNITED NATIONS MISSION IN HAITI

20. Should the Security Council authorize the establishment of the United Nations Mission in Haiti, it would be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council. The Mission would be led in the field by my Special Representative, Mr. Dante Caputo, who has been my Special Envoy, and would be composed of police and military contingents. Commanders of those contingents would report to me through my Special Representative. The UNMIH police and military contingents would be composed of personnel made available by Member States. UNMIH would coordinate its activities closely with MICIVIH.

21. In accordance with established practice, UNMIH would need to have freedom of movement and communications and to enjoy other rights that would be necessary for the performance of its tasks in Haiti. UNMIH and its personnel would also have to be granted all relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations. A status of mission agreement would be signed with the Government of Haiti to facilitate the

early dispatch of the Mission, as envisaged in paragraph 5 of Security Council resolution 862 (1993).

22. The security of UNMIH personnel needs to be carefully considered, bearing in mind the current situation in Haiti. There are frequent examples of human rights abuses, including extrajudicial killings, disappearances, beatings and other mistreatment of detainees and prisoners, arbitrary arrest and detention, and interference with the judicial process. Violence is often used to disperse popular assemblies, be they political, civic or religious in nature. The existing hazards are aggravated by the inability of local authorities to respond adequately to widespread instances of armed banditry and other acts of violence. I shall appoint a Security Adviser to coordinate the security requirements of the entire United Nations presence in the country.

23. Bearing in mind the dispersal of UNMIH personnel throughout the territory of Haiti, logistical requirements will be considerable for both the military and police components, including a minimum of 7 helicopters, 323 overland vehicles and 6 Zodiac-type watercraft, as well as a 24-hour communications system. The construction battalion would be deployed with its own specialized equipment.

VI. CONCLUSIONS AND RECOMMENDATIONS

24. The most important immediate task for the establishment and maintenance of stability in Haiti is adherence to and implementation of the Governors Island Agreement. The United Nations will supplement the efforts of the people of Haiti to establish peace and democracy in their country.

25. My recommendations for the deployment of UNMIH have been developed with a view to ensuring that the operation is cost-effective. The cost estimate for the Mission is $55.2 million. The increase over the provisional estimate included in my earlier report of 25 August 1993 is mainly attributable to the addition of seven helicopters and other heavy equipment deemed essential for both components of the Mission. The budget estimate has also increased as a result of the inclusion of the staff of the Special Representative's Office responsible for the overall supervision and management of the Mission.

26. I shall submit an addendum to the present report as soon as possible, providing a statement of the financial implications for UNMIH. Some elements of the activities envisaged in my report of 25 August 1993 and the present one, such as the cost of construction material and other expenditures not normally financed from assessed contributions in peace-keeping missions, will have to be funded separately through the establishment of trust funds or other arrangements.

27. The assumption of office by Prime Minister Malval on 31 August 1993 marked the fulfilment of the principal conditions laid down in the Governors Island Agreement for the commencement of United Nations cooperation in its implementation. As indicated above, I share the view of my Special Envoy that there is now an urgent need to proceed with the activities foreseen to be undertaken by UNMIH. It is my recommendation, therefore, that the Security Council approve the establishment of UNMIH for an initial period of six months

with the mandate and functions described in my report of 25 August 1993 and further elaborated in the present report.

28. As mentioned earlier, I anticipate the need for a second phase of assistance to train the members of the new police force to be established. I shall present proposals to that effect before the end of the first phase of six months. While the exact duration of such a second and final phase remains to be determined, I do not expect it to exceed three months.